

// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of June, 2006, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, Vice President, presiding. Council Member Gillette gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Absent: 0

// Copies of the minutes of the June 13 (two meetings), 2006 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// In the matter of Property, Resolution #R-06-066 approving the sale and conveyance of three vacant lots of City-owned property located off of Third Street and behind 300 Madison Street to Wayne and Amy Brown for \$1,600, laid over from the June 13, 2006 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// In the matter of Public Works - General, Resolution #R-06-074 amending FY 2006 General Fund Reserve for Contingencies and appropriating \$150,000 for the purpose of constructing a connector road from Atlanta Avenue to the Sam's Club/Wal-Mart parking lot on Wards Road, laid over from the June 13, 2006 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// In the matter of Human Services - General, City Council Report #4 was considered. Assistant Director of Social Services Cynthia Kirkland outlined the request and responded to questions by Council Members regarding the replacement of the access control system. On motion of Council Member Johnson, seconded by Council Member Dodson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-06-078, as presented, amending FY 2006 City Capital Projects Fund and appropriating \$68,540 to fund a replacement access control system in the Human Services Center:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// In the matter of City Code, City Council Report #5 regarding amendments to the Lynchburg City Code was considered. City Attorney Walter Erwin stated that the Commonwealth's Attorney advises that having two sections concerning the discharge of firearms in the City Code is causing some confusion and

sometimes complicates the prosecution of individuals who inappropriately discharge firearms within the City. The Commonwealth's Attorney recommends repealing Section 27-68 of the City Code and relying on Section 27-67 to deal with situations involving the inappropriate discharge of firearms. Mr. Erwin went on to say that the Police Department does not have any problems with repealing Section 27-68, and if a situation occurs where someone should be charged with discharging a firearm in a public place the individual can be charged with violating the State Code. Council Member Seiffert stated that he would like to recommend an amendment to Section 27-67 by adding the following language, i.e., "(d) This section shall not apply to any law-enforcement officer in the performance of his official duties nor to any other person whose said willful act is otherwise justifiable or excusable at law in the protection of his life or property, or is otherwise specifically authorized by law." Council Members responded favorably to the amendment to Section 27-67. Council Member Gillette also asked that Section 27-67 be scheduled for discussion at a future work session in relation to paintball markers and air guns. On motion of Council Member Helgeson, seconded by Council Member Seiffert, Council by the following recorded vote adopted Ordinance #0-06-079, as presented, repealing Sec. 27-68 of the City Code, and adopted Ordinance #O-06-080 amending Sec. 27-67 of the City Code by adding the following language..."(d) This section shall not apply to any law-enforcement officer in the performance of his official duties nor to any other person whose said willful act is otherwise justifiable or excusable at law in the protection of his life or property, or is otherwise specifically authorized by law.":

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// In the matter of Public Works - General, City Council Report #6 was considered. On motion of Council Member Helgeson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-06-081, as presented, regarding participation in the Urban Construction Initiative (UCI) which permits cities and towns to take responsibility for their construction program:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert 6

Noes: 0

// The meeting was recessed at 5:17 P.M. to July 3, at 10:00 A.M., to conduct City Council's organizational meeting.

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Clerk of Council